



## Chapter 9

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# Barriers to Women's Representation in Governance: Evidence from Thematic Analysis of Legislative Debates in Nigeria

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### Abstract

Target 5.5 of the United Nations Sustainable Development Goal aims at “ensuring women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life by 2030”. Given the level of patriarchy in Nigeria, it is believed that legislation is a potential lever to protect women’s rights to political leadership. However, the push for the passage of the Gender and Equal Opportunity Bill (GEOB) did not pass Second Reading in the 9<sup>th</sup> National Assembly. This chapter examines the underlying sentiments of why the Bill was deemed negative by the male-dominated National Assembly. The study was anchored on Connell’s (1987) Hegemonic Masculinity Theory, and data were sourced from the Hansard of the GEOB in the 9<sup>th</sup> Senate. We adopted the qualitative case study approach and utilised the thematic analysis technique to analyse the data. The findings showed that the vociferous opposition to the Bill centred on: (i) constitutionality of the Bill; (ii) granting advantages to women over men conflicts with extant laws; (iii) conflicts with customs, tradition and religion; and (iv) inadequate consultations with the legislators. The findings suggest that the male-dominated Senate spared no effort to defend and preserve the patriarchal hegemony. Notwithstanding, outlier senators supported the Bill, indicating a potential linchpin to galvanise a groundswell of support for future passage. Overall, the study argued that leveraging ‘development bargain’ holds promise to change the narrative.



**Keywords:** Development Bargain, Hegemonic Masculinity, Legislative Debates, Thematic Analysis, Women's Representation in Government

## Introduction

Nigeria gained her independence from Britain in 1960, and practices representative democracy. Amid episodes of military juntas, and after a 16-year hiatus, the country returned to democratic rule in 1999, and adopted the current Constitution<sup>1</sup>. Nigeria is a federation of 36 autonomous states and the Federal Capital Territory. It comprises over 500 languages and 300 ethnic groups, thus making her the most populous, largest democracy, and culturally diverse country in Africa (AfDB, 2022; World Bank, 2023; Green, 2023). The country's democratic system is modelled after that of the United States; however, patriarchy is one of the numerous concerns that underlie her political culture (Diamond, 1993). Since 1999, despite maintaining an unprecedented 24 years of democratic governance, accompanied by 7 electoral cycles—a development that lends credence to her democratic milestone (Diamond & Morlino, 2005), women occupy very few seats in the legislature. In essence, legislature is the cornerstone of democracy, and one of its core elements is the participation in the democratic process by diverse groups including the representation of women in government (Diamond & Morlino, 2005). Despite the fact that women account for 49.3% of the 218.54 million population (World Bank, 2022) and represent about 47% of the registered voters (INEC, 2023), women occupy a lacklustre 4.47% of the 469-member seats in the National Assembly compared to the global and African averages at 22.5% and 23.4% respectively (IPU, 2023a).

As shown in Table 20, at the dawn of democratisation in 1999, only 24 women, representing 2.4%, were elected out of the 993 combined seats in the 36 States Houses of Assembly. Also, 12 women, representing 3.3%, and 3 women, representing 2.8%, were elected in the 360-member House of Representatives and 109-member Senate respectively. After two election cycles (that is, 2007–2011) the number of elected women representatives increased to an all-time high of 68, 26 and 9 in the States Assembly, House of Representatives, and Senate respectively. However, in the latest election cycle, women's representation slumped to 57, 17 and 3, in the States Assembly, House of Representatives, and Senate respectively. Consequently, scholars and policymakers are interested in understanding why men have historically held more political power than women in Nigeria. As things stand, the male-dominated National Assembly comprises the 109-member Senate and the 360-member House of Representatives, and 993 seats in the 36 State

1 The Constitution of the Federal Republic of Nigeria (CFRN), 1999, has been altered five times.

Houses of Assembly. In essence, the inclusion of women in governance is a democratic ideal because it not only underpins democratic governance but also reinforces the stability and legitimacy of government (UN, 1998; Federal Republic of Nigeria, 1999; Ette & Akpan-Obong, 2022).

**Table 20:** Trend of seats occupied by women in Nigeria’s Legislature (%) of total (1999–2023)

Election cycle	House of Representatives		House of Senate		Combined 36 States Houses of Assembly	
	Seats	%	Seats	%	Seats	%
1999–2003	12	3.3	3	2.8	24	2.4
2003–2007	21	5.8	4	3.7	40	4.0
2007–2011	25	6.9	9	8.3	57	5.7
2011–2015	26	7.2	7	6.4	68	6.8
2015–2019	22	6.1	7	6.4	51	5.1
2019–2023	13	3.6	7	6.4	45	4.5
2023–2027	17	4.7	3	2.8	57	5.7

Sources: INEC (2023), IPU (2023b), PLAC (2023)

To ensure that women are not left behind, Target 5.5 of the Sustainable Development Goal (SDG-5) (UN, 2015) aims at *ensuring women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life by 2030*”. What is concerning in the Nigerian context is that the male-dominated legislature often stands in the way of expanding access to decision-making arenas. For instance, the push for the passage of the Gender Equality and Opportunity Bill (GEOB) in the 9<sup>th</sup> Assembly was thwarted by the male-dominated National Assembly. Amongst other things, the Bill provides for the domestication of the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW) (UN, 1979), as well as the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (AU, 2023). It is believed that the refusal to pass the Bill was informed by sentiments that fuel political dominance by men (Omotola, 2007; Jega, 2001). Thus, the focus of this study is to examine the underlying sentiments by the Senators to frustrate the passage of the GEOB in the 9<sup>th</sup> Assembly. The study is structured into six sections. Following the introduction section, Section 2 reviews the existing body of literature on women’s under-representation in Nigeria and in other jurisdictions. Section 3 addresses the theoretical framework and methodology adopted for the study. Here, the research technique adopted is

discussed, and its adoption justified. Section 4 presents the data and analysis of the themes extracted from the data items. Section 5 presents the discussion of the results and Section 6 concludes the study.

## Literature review

Many authors have researched the under-representation of women in Nigeria. Surprisingly, some of these studies were initiated by the Nigerian government. However, the government's passive stance has resulted in little progress. For instance, in 1986, the Babangida-led military government established a Political Bureau to promote the inclusion of women in government. The Bureau recommended that 5% of legislative seats should be allocated to women at all levels of government, stating that it would help to defend women's interests in society (Abdullah, 1993). Unfortunately, the government soon went back on its promise and rejected the Bureau's recommendation. In a similar fashion, albeit a democratic setting, the lack of commitment by the political class to women's political rights is often manifest in the non-domestication of treaties, conventions and so on. (PLAC, 2018). For instance, despite ratifying several United Nations and Africa Union Conventions including: the International Covenant on Civil and Political Rights (CCPR) (UN, 1966a); the International Covenant on Economic, Social and Cultural Rights (CESCR) (UN, 1966b); the Maputo Protocol (AU, 2023); the CEDAW (UN, 1979), amongst others, they have not been domesticated. Though Section 42 of the Constitution of the Federal Republic of Nigeria 1999 (hereafter the Constitution) (Federal Republic of Nigeria, 1999) provides that no person (male or female) should be subjected to discrimination by reason only that he is such a person, however there is no provision that reserves quotas for women.

This development contrasts markedly with Rwanda's sterling performance whose achievement of 63.8% of women's representation in government made her the top-performing country in the world on women's representation in government. Scholars such as Bush (2011) note that Rwanda achieved this feat on the wings of the political actors' commitment to promoting gender equality and with the accompanying gender-responsive legislation. In another recent study of how Rwanda overcame male dominance of the political arena, Zaborszky (2017) points out that the domestication of women's political rights in the Rwandan Constitution, 2003, guaranteed gender-responsive legislations, thus putting women's political empowerment at the forefront of the government agenda. The Rwandan piece of legislations provides for a minimum of 30% of women in the Chamber of Deputies and in the Senate. The Rwandan experience dovetails with Dercon's (2022) recent treatise titled *Gambling on Development*, which offers some

prescription by detailing how incentivisation of the political class can make significant progress in development including the representation of women in government. In essence, affirmative action for female political representation is anchored on the theories of formal, descriptive, substantive and symbolic representation of women (Hughes & Paxton, 2018; Franceschet et al., 2018). Based on this theory, a number of European countries also adopted legislative quota rules for women's representation. For instance, Balafoutas et al. (2016) note that legislation or political party quota systems impose a percentage of women's representation in Belgium, Germany, Iceland, Norway, Italy and Austria, amongst others. Women's representation in government is an ideal that is enshrined in the various African Union and United Nations Conventions. Specifically, the adoption of the Beijing Declaration and Platform for Action (UN, 1995); the CEDAW (UN, 1979) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (AU, 2023), put the representation of women in government at the forefront of policy agenda. For example, Article 7 of the CEDAW (UN, 1979), states that:

*State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.*

In the same vein, Chapter 3, paragraph 1 of the Beijing Declaration (UN, 1995) provides that:

*The advancement of women and the achievement of equality between women and men are a matter of human rights and a condition for social justice and should not be seen in isolation as a women's issue. They are the only way to build a sustainable, just and developed society. Empowerment of women and equality between women and men are prerequisites for achieving political, social, economic, cultural and environmental security amongst all peoples.*

Generally, these rights underscore the goal of the United Nations Charter which is "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women" (UN, 1945). Despite the compelling objectives of these Conventions and Charters, there is

less than a groundswell support by the male-dominated legislature in Nigeria. Obviously, the disproportionate representation of women in government in Nigeria runs afoul of the ratified UN Conventions (Onomrerhinor, 2016). Again, and disappointingly so, though these Conventions have been ratified, it is not justiciable in Nigeria because they have not been domesticated by the National Assembly. In the same vein, the National Gender Policy underscores the place of women in democratic governance by advocating for 35% affirmative action for women's representation in government (IEC, 2021). However, it lacks the force of law because it was not passed by the National Assembly. Suffice that Sections 4(3) and 12 of the Constitution (Federal Republic of Nigeria, 1999) empower the National Assembly to make laws for the good governance of the country. As noted by Okoronkwo-Chukwu, (2013) and Jega (2001), the lacklustre commitment of government to the 35% affirmative action as documented in the National Gender Policy belies its overly avowed position on gender responsiveness.

Authors such as Pogoso (2012), Arowolo and Aluko (2010) and Okoosi-Simbine (2012) identify socio-economic and cultural norms as major factors responsible for women's under-representation in government in Nigeria. Ette and Akpan-Obong (2022) echo this notion by asserting that 'women, especially those without wealthy godfathers and supporters, have a more arduous path to the political arena in a race where winners are determined by superior economic resources and privilege rather than political ideologies or vision'. In the light of the overarching importance of access to economic power and opportunity, the United Nations Women (2022) advocates that investing in women's economic empowerment sets a direct path towards gender equality, poverty eradication and inclusive economic growth. However, the literature documents men's generalised dread of women's empowerment. This notion is based on the castration anxiety, which is man's fear that the empowerment of women will take away his strength, infect him with their femininity, and reveal him to be a weakling (Michealson, 2013). Freud (1918) explored this slant and theorised that men have historically displayed "a generalized dread of women" through taboos, customs, and traditions. In a related study, MacPherson et al. (2015) utilised the qualitative research methodology to explore female fish traders' experiences of accessing microfinance in fishing communities in southern Malawi. The findings revealed gendered power dynamics that predisposed women to transactional sex by their male lenders, thereby infecting them with HIV (human immunodeficiency virus). In a study carried out in Uganda, Wyrod (2008) found that attempts to reconfigure gender power relations, such as changing marriage laws or the division of household labour were considered excessive. In addition, Boyd (2013) found that anxieties about women's rights stemmed from the perception that unconstrained freedoms would threaten

the normative hierarchy of society, thus allowing immoral Western values to weaken traditions, customs and so on.

Some writers have argued that women's representation in the political arena is not only a human rights issue but also has a catalytic effect on inclusive socio-economic development (Diamond & Morlino, 2005; O'Neil & Domingo, 2016). This view was reaffirmed in a recent study by Newiak (2018), which noted that closing the gender gap in Nigeria would lead to higher growth and productivity and ultimately enhance greater economic stability. In the same vein, Burnet (2011) posits that the presence of women in the public policy arena has a symbolic value, which has contributed towards increasing respect for women and giving them a more powerful voice in the family and community. Ette (2017) argues that not only are women politicians marginalised as subjects of news but also as sources of news. Thus, the limited visibility is normatively problematic because it reinforces a patriarchal understanding of politics and women's political participation. Studies on the policy outcome of mainstreaming women in government abound in several jurisdictions. For example, Tøraasen (2019) studied the adoption of Gender Parity Law in Senegal. The author utilised the qualitative method of research by conducting semi-structured interviews with 20 respondents. Thirteen of the respondents were former and current legislators, and the rest of the respondents were drawn from academia, women's groups and bureaucracy who gave an account of the process that led to the adoption of the legislation. Results showed that affirmative action by women's groups in the country and executive-legislative relations were the factors that led to the passage of the law. This result is consistent with the findings of Bush (2011) and Franceschet and Piscopo (2008) that expanding access in the legislative process is a critical pathway to firming up women's representation in government.

Acosta et al. (2020) investigated the inaction of the Ugandan Government to mainstream women in its climate change policy. The study was based on the qualitative method, examining the respondents by 30 semi-standard interviews and excerpts from ten stakeholder meetings on themes of climate change, agriculture, rural livelihoods and gender in Uganda. The results revealed resistance to gender mainstreaming in policy discussions. Theoretically, the pattern of men's political dominance of women in Nigeria mirrors Connell's (1987) Hegemonic Masculinity Theory. The theory conceptualises how unequal power relations are legitimated. Given the patriarchal sociocultural structures in Nigeria, it is believed that legislation is a potential lever to mainstreaming women in governance (Zaborszky, 2017). To this end, the Constitution of the Federal Republic of Nigeria, 1999, needs to be altered by making specific provisions for women's representation. Despite

several efforts to realise this objective, the male-dominated legislature often stands in the way of passing this legislation.

The GEOB was first introduced in the 8<sup>th</sup> Assembly. The Bill sought to incorporate and enforce certain provisions of the CEDAW (UN, 1979) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (UN, 2023), and other matters connected therewith. However, the Bill did not see the light of day as it was rejected by the male-dominated National Assembly. Recently, the push for the passage of the same Bill in the 9<sup>th</sup> National Assembly also suffered a setback. At this time, the objective was modified as follows: *“to make provisions for the empowerment of women and gender equality to establish a legislative framework for the empowerment of women; to align all aspects of laws and implementation of laws relating to women’s empowerment, and the appointment and representation of women in decision making positions and structures; and to provide for matters connected therewith”*. Thus, the study seeks to shed light on the underlying sentiments of why the Gender and Equal Opportunities Bill, 2016 and 2021, were negated in the 8<sup>th</sup> and 9<sup>th</sup> National Assembly. The study focuses on the men-dominated National Assembly because their seemingly patriarchal gender norms not only challenge a core principle shared by all democracies but also underscore the need to engage male political leaders as transformative agents of change for gender equality (NDI, 2021; 2022). The chapter builds on the existing studies and contributes to the literature and sheds fresh insight on the sentiments expressed by the male-dominated National Assembly.

## **Theoretical framework and methodology**

The study is built on the framework of Connell's (1987) Hegemonic Masculinity Theory. As noted by Messerschmidt (2019), Connell's conceptualisation of masculinity has become ubiquitous, serving as the principal touchstone for most research. The theory provides an explanation for the pattern of practices that allow men's dominance over women to linger. The emphasis on hegemony in gender relations underscored the achievement of hegemonic masculinity largely through cultural ascendancy - discursive persuasion - encouraging all to consent to, coalesce around, and embody such unequal gender relations between men and women. Contextually, the trend of dominance by men over women in Nigeria's political arena lends credence to the adoption of the Hegemonic Masculinity Theory for the study.

Following the categorisation of studies by Bryman (2016), and Braun and Clarke (2013), the nature of the present research is a critical study because it seeks to 'go beneath the surface' in understanding why women are

under-represented in government in Nigeria. The text data for the study is sourced from the legislative debates on the Gender Equality and Opportunity Bill (GEOB) in the 9<sup>th</sup> Senate of the National Assembly. It suffices that legislative debates provide insights to information concerning the opinions, positions, policy preferences and so on of the legislators. Thus, it is safe to infer that these opinions, positions, preferences, and so on, approximate the sentiments of the legislators who informed the decision on the GEOB. In analysing the text data, we adopted the qualitative research method and utilised the thematic analysis (TA) technique as proposed by Braun and Clarke (2006; 2013). It suffices to note that authors such as Clarke et al. (2005) and Farvid and Braun (2006) have utilised TA in similar studies. TA has become an increasingly popular way of engaging with qualitative data, especially for critical studies. It is a method for identifying, analysing, and reporting patterns (themes). As Terry and Hayfield (2021) note, the appeal of TA is that it is theoretically flexible while ensuring rigour and guidance that give researchers with a broad range of experience and expertise value.

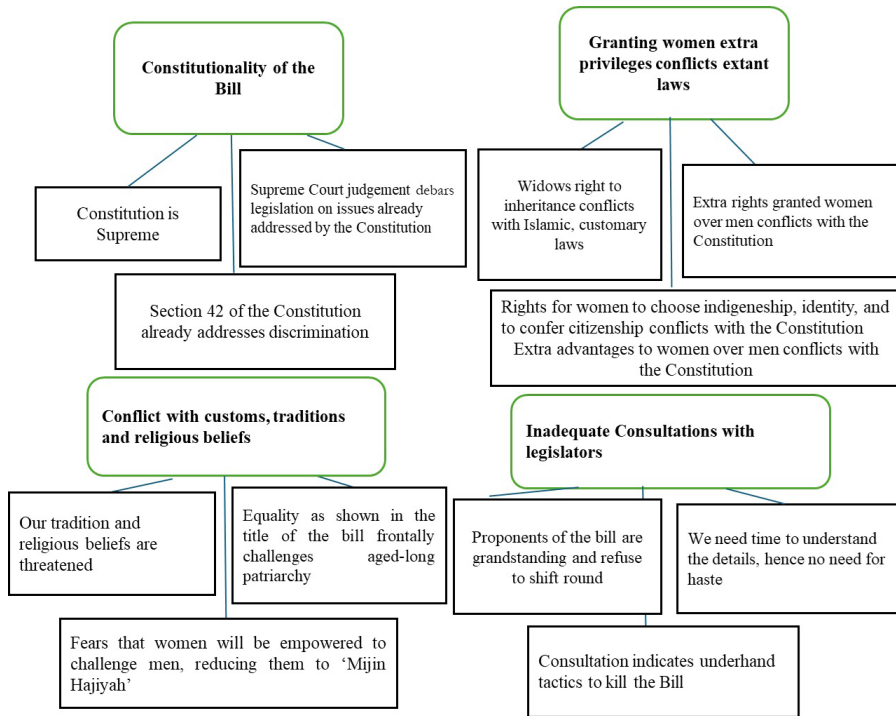
Following Braun and Clark (2006), the dataset refers to the legislative debates, while the data items and the data extract refer to the senators and themes / subthemes respectively. Suffice to say that the data extract is the coded chunk of data that dovetails with the themes for analyses. Aided by a fitting thematic map, we explore the sentiments expressed by the legislators by categorising the commonalities into themes in accordance with some criteria (Patton, 1990; Braun & Clarke, 2006). The themes constitute the unit of analysis of the study which we analyse by drawing excerpts to illustrate the legislators' expressed sentiment (Braun & Clarke, 2006; Frederick, 2013). Overall, we follow the six-phase processes of TA as proposed by Braun and Clarke (2006) to conduct the research in line with ethical considerations.

## Results and analyses

In this section we present the results and analysis.

As shown in Figure 6, we developed a thematic map showing four main themes: (i) the Constitutionality of the Bill; (ii) customs, tradition and religion; (iii) granting women extra privileges over men conflicts with extant laws; and (iv) inadequate consultations with the legislators. The subthemes feed into the main themes, thus reflecting the nuanced dispositions of the legislators to kill the Bill. We proceed with the analyses of these themes and draw excerpts from the textual data to illustrate the legislators' expressed sentiments (Braun & Clark, 2006; Frederick, 2013).

## Women Representation in Governance in Nigeria



**Figure 6:** Thematic map showing themes and subthemes

Source: Legislative debates on the Gender and Equal Opportunity Bill in the 9<sup>th</sup> Assembly

### The constitutionality of the bill

Arguments centred on the constitutionality of the Bill in relation to the powers of the National Assembly to pass legislations on the Bill. The reservations stemmed from the subthemes: (i) the subsisting Supreme Court judgement debars legislation on issues already addressed by the Constitution; (ii) the supremacy of the Constitution; and the provision of Section 42 of the Constitution. Citing the subsisting Supreme Court judgement, the legislators questioned the power of the National Assembly to legislate on the Bill. Some legislators who detailed the limitations of their powers to make laws on an issue already provided for in the constitution:

*I just want us to be mindful of the fact that there is Supreme Court decision that says that when something is already provided for in the Constitution, that you do not repeat it in a legislation. Any matter that is in the Constitution, we should not make law on it. If you find out that the Constitutional issue on Gender Inequality and Discrimination, already our*

*Constitution has mentioned that. There is no way we are going to bring it as a Bill to be passed by this House. This is because any Convention from outside to the extent that it is against our Constitution, we cannot even domesticate it.*

*(Senator 1)*

One male legislator noted that since the Bill speaks to the same issue of discrimination as provided in Section 42 of the Constitution, there is no need for the National Assembly to make any further legislation on the matter:

*It is clear and it is a Supreme Court decision and the discrimination against women is already provided for in Section 42 or there about of our Constitution. In fact, the Bill talks about it, the Bill quotes the Constitution. If we are to go by what the Supreme Court had said, that this becomes redundant and it really should not have gotten to this stage. I owe it a duty to bring the Supreme Court decision to the knowledge of the House.*

*(Senator 2)*

Another male legislator reminded the House about the supremacy of a subsisting Supreme Court judgement:

*Also, more than that the Supreme Court, which is the highest Court of the Land has made a pronouncement on this. We have separation of powers and once the Supreme Court has made a decision that you cannot do this, I think it is wrong for another arm of government to say; Yes, we are aware of what the Supreme Court has said but we can do it and would go back to the supreme court or to the Court for interpretation, which I think is wrong.*

*(Senator 3)*

A striking revelation is that the commonality of these sentiments sheds light on the intentions of the male-dominated National Assembly. They seem to hide under the cloak of the Constitution to kill the GEOB. Suffice to say that though Section 42 of the Constitution provides that no person should be subjected to discrimination by reason only that he is such a person, however, legislations that reserves quotas for women in legislature will significantly advance women's representation in government.

### **Granting advantages to women over men conflict with extant laws**

Members of the National Assembly expressed their concern pertaining to the provisions of the Bill that grant privileges to women. The reservations centred

on widows' right to inherit their late husbands' property, rights for women to choose indigeneship, identity, and to confer citizenship. They contended that the proposed privileges not only conflict with the Constitution but also run afoul of the exiting religious and cultural practices. Clause 5 of the Bill provides for the modification of certain cultural practices against women especially degrading treatment, against widows and other practices. In the same vein, Clauses 6-14 provide for the elimination of discrimination in various aspects of social life:

*After going through the Bill, I found that Section 5 of this Bill specifically on modification of sociocultural practices are directly in conflict with the Nigerian Constitution, because the Nigerian Constitution is very clear, it scrutinises the customs and practices of all Nigerians, especially in relation to their religious right as guarantee by Constitution. Where she also says a widow shall have the right to an equitable share in the heritage of property of her husband, this is also in conflict with Nigerian Constitution. Section 17, women and men shall have the right to inherit in equitable shares their parent properties; this is also in conflict with Nigerian's Constitution.*

*(Senator 4)*

A male legislator from the Northern part of Nigeria underscored the conflict of the Bill with common, sharia and customary laws as applicable to suit the peculiarity of each section of the country:

*For Christianity, we have Common Law and for Muslims, we have Sharia Law as recognised by the Constitution. For customs, those who believe in their customs and traditions also have Customary Laws. For the Bill to provide that a Widow shall automatically become the guidance and custodian of her children is in conflict with Nigerian Constitution. An existing law is already in place which has already been taken care of by our provision. For example, the issue of guidance and custody of children vary from one community to another and those of us who are lawyers will equally know that when these laws were received, it says: Where there are inconsistent with local circumstances, the law prevailing in the local circumstances should take effect.*

*(Senator 5)*

*Then, if you look at this Bill, it seeks to give women extra advantages which are against this Constitution. Let us look at Section 14 (11), which says: Eliminate discrimination and social economic ground (12) the right to choose the indigene ship and identity (13) right to confer citizenship all on women. These are special privileges and rights, which this Constitution has*

*envisaged. I therefore, suggest that we suspend this Debate and look at this thing critically.*

*(Senator 6)*

### **Conflict with custom, tradition and religion.**

The provisions of Clause 5, which deals with modification of cultural practices was a concern to some members of the National Assembly. The debate at this point drew strong sentiments touching on modification of culture and religious beliefs:

*There are some provisions of this Bill that are conflicting with the dictates in Islam when it comes to the sociocultural practice which is part of our religion. In the 8<sup>th</sup> Senate, this Bill was debated. If they are talking of equity, it is alright but equality is no. For this reason, I do not support the second reading of this Bill.*

*(Senator 7)*

The argument by one male legislator signals a fresh insight to the reason for 'killing' the Bill. His argument touched on the nation's patriarchal cultural heritage. It also sheds light on the unequal power relations in marriage and society. The legislators' position and narrative dovetail with the definition of patriarchy by Connell (1987): patriarchy is a social system in which the role of the father is central to social organisation, and where fathers hold authority over women, children and property. However, the sentiments expressed by the legislators indicate that the empowerment of women is a frontal attack on society's cultural heritage. He also expressed fears that the empowerment of women will embolden women to challenge men's authority, and ultimately reduce men to 'Mijin Hajiyah' which connotes weak man / husband:

*Now, Christianity preaches salvation to the sacredness of the institution of the marriage. In the Lead Debate, page 3 and 4 state thus: My highly respected Colleagues, the Gender and Equal Opportunity Bill seek to provide For Women's Empowerment in the following areas. That Women Freedom of Movement continues to be legally restricted in some part of this country. This restriction is often because of marriage laws which mostly and largely are informed by religious believe that a Woman can do whatever she likes. This will give rise to a situation wherein our Northerner language that said, Mijin Hajiya; you will become Mijin Hajiya at the end of the day, where your woman can move around, and interact any how under your watch.*

*(Senator, 8)*

A legislator expressed reservations about the issue of equality as contained in the title of the Bill. According to him equality challenges existing tradition where men are superior to women. He sees the provisions as apostasy and heresy that smacks of immorality:

*This is heresy and we must not encourage this kind of law in this Chamber. As long as we live as Parliamentarians, we must come out with laws that encourage morality, after all, our laws supposed to be a product of moral course. That was the original essence of law even in the old Elizabethan England. Therefore, we must not join the multitude in the world to do things the way the world do. We must be conscious of our morality. We must stand firm and ensure that our society remains clean and transparent morally.*

*(Senator 9)*

In response to these reservations especially on the title of the Bill, the sponsor of the Bill agreed to tweak it by replacing equality with equity:

*However, if the problem is the title, 'equal opportunities' that they do not want, then we can change the title and make it Gender Equity Bill rather than the Gender and Equal Opportunities Bill which is offensive to them.*

Furthermore, the legislators laid emphasis on the infringement of the provisions of the Bill on religious beliefs. These arguments are utterly riveting as it shows the perceptions of the legislators vis-à-vis the provisions of the Bill:

*However, from an Islamic perspective which is the social cultural practice of Muslims, equal opportunities actually infringe on the provision of the Qur'an and also the Bible. For me, I will not support the passage of this unless the word 'equal' is removed. We will have debate on the gender opportunities Bill but when you bring equality into it, it infringes into the practise of Islamic religion. That is where the conflict is and because of this inconsistency, I will not support the passage of this Bill for second reading.*

*(Senator 9)*

Following the analysis of the argument of the legislators, it is clear that they have the notion that the provisions of the Bill are diametrically opposed to the existing religious and socio-cultural belief. Rather than considering the merits of the Bill, the legislators are committed to defend the hegemonic patriarchal religious and cultural belief.

## **Inadequate consultations with legislators and other stakeholders**

In the course of the debate, some legislators stressed the need for further engagement with the sponsor of the Bill in order to fully understand its provisions. In response to these reservations, the sponsor of the Bill noted the wide consultations with the legislators and other stakeholders across the country. She stressed the overwhelming support the Bill had received both within and outside the National Assembly. She noted the high level of engagements that galvanised a groundswell of support for the Bill. Having gone that far, she was hopeful that the Bill will pass Second Reading, however, she expressed disappointment and was surprised to hear a new twist of non-consultation:

*The Sultanate arranged an outreach where every Muslim cleric including the MURIC Chairman were present and they gave a clean Bill of health to the Bill. We have also done that with the Christian clerics and they have also given it a clean Bill of health.*

*(Senator 10)*

One senator remarked that it is the legislators who make laws and thus the need for consultations with them cannot be overemphasised:

*It is not an Islamic scholar out there or any conglomeration of NGOs that you invite to public hearing that make the laws of this country. The laws of this country are made here. Whatever anybody is going to say outside there, if we do not get our Colleagues to buy into them, it will not go; we are the ones elected by Nigerian people to make the laws of this country. Therefore, any nebulous attempt by anyone of us who is sponsoring a Bill to say that he is not going to consult with members is going on slippery ground. We are all equal in this Chamber, there is no one here that is greater than the other.*

*(Senator 11)*

In the same vein, one Senator encouraged the Sponsor of the Bill to engage the legislators. He noted that her engagement does not belittle her:

*You do not lose any face by consulting with other Colleagues so that we can take informed position. You are not being belittled by asking you to consult further with Colleagues because once we have proper consultation and every one of us agrees, you have less problem.*

*(Senator 12)*

Surprisingly, a male senator rose to acknowledge the extensive consultation by the sponsor of the Bill:

*I am happy that the sponsor has taken the pains to carry out detailed consultation with some of our leaders in this sector to try and address some of the fears and concerns. But from the feelers I am getting today in this Chamber, it does appear maybe that has not gone far enough, we still have the residue of these fears. I want to plead that this Bill not be killed here, it should be allowed to go for public hearing so that whatever concerns the sponsor and others were not able to address in the course of their consultation, and they could be addressed in the public hearing.*

*(Senator 13)*

In a dramatic twist of narrative, some legislators claimed that they have not seen copies of the draft Bill:

*Mr President, we have not seen the main body of the draft Bill, ordinarily, we should have seen it. We do not have the draft Bill before us; I do not just want to change the title only to conflict with the body. My suggestion is, let her re-present it again together with the draft Bill so that we know whether the Bill is consistent with the title.*

*(Senator 14)*

The Sponsor of the Bill swiftly responded and narrated how she had circulated the Bill to all members. She also mentioned the enthusiasm and willingness of some of the male senators to co-sponsor the Bill:

*Mr. President, about two or three months ago, I circulated copies of the Bill and some people even wrote letters to say they will be co-sponsors of the same Bill. I have a list of 62 members of this Chamber who said they will co-sponsor it.*

*(Senator 10)*

The Senate President stressed the need to convince all legislators in order to secure their buy-in:

*It is good to make efforts to reach out to stakeholders outside but when a Bill comes here, the clean Bill of health somebody outside gives to it does not make it healthy enough when it comes to the Floor because Senators' decisions may be informed by so many other considerations. So, I believe*

*that what we need to do is to come to an understanding of how this Bill can be accepted as all the interests are addressed.*

*(Senator 15)*

In a swift response, the Sponsor asserted that contrary to the claim of non-consultation, every legislator was engaged:

*Mr President, I am sorry to say to you that most of the Senators were engaged, even the Christian Senators were engaged and everybody was made to understand. In fact, we got Professor Mustapha who reduced everything to verses in the Qur'an and it was not until we have finished all of this and put everything together that we came. So, if you still want us to engage after that, it means we will engage for the next six months and then where do we go from here. But the ball is in your court, your Excellency.*

*(Senator 10)*

However, the Senate President stressed that it is not in his powers to kill Bills nor give life to it. He noted that every parliamentarian must be carried along:

*The ball is not in my court, the engagement I am talking about is, we lobby ourselves here as parliamentarians. If I have a Bill and someone says he does not understand it, there is nothing wrong in talking to that person. If at this point, we are divided, this Bill is not likely to survive even outside. What is wrong in engaging our colleagues? But if you feel you do not need to engage anyone, it is alright.*

*(Legislator 15)*

A male senator stressed the need for further consultation, noting the need to tread cautiously. He alluded to the position of the sponsor of the Bill as grandstanding, and that the world will not collapse if the Bill is killed.

*There is nothing wrong in re-presenting a Bill but we must be very careful, this grandstanding will not pay. We may be doing ourselves and the country for whom we are making these laws a lot of justice if we do some further consultations to take care of those sensitive issues which seem to bother some Members of this Chamber and the outer population of our great country that we are making these laws for. I see nothing wrong in the advice. We are humans; this idea that it has to happen or the world will collapse is a fallacy. I advise that my very dear Colleague should consider deeply the idea of withdrawing this Bill for now and re-present it after the consultation is made.*

*(Senator 16)*

The Sponsor pleaded with the National Assembly member to consider the objectives of the Bill and what the nation stood to benefit. The Bill was subsequently withdrawn by the sponsor, albeit forlornly:

*The Bill is not about me, it is not about anybody, it is about Nigeria, about our future, about children and about tomorrow. So, if we pass the Bill, it is to our credit that we are making tomorrow better for 60% of the population. However, I believe the way to go is to step it down and see if we can convince the two or three people who are against certain aspects of the Bill and then we will come back at a later date. Thank you.*

*(Legislator 10)*

These sentiments expressed by the senators about the Bill are quite revealing. For one, the clamour for continuous consultation indicates underhand tactics to frustrate the passage of the Bill. This shows why the push for the passage of gender-related Bills suffer setback in legislature. The male-dominated legislature is committed to preserve the patriarchal hegemony leaving women in the periphery of political arena.

## **Discussion**

In this section, we discussed the results (the themes) of the research findings, contextualising them within the existing literature whilst highlighting fresh issues. Suffice to say that the study set out to find out why the push for the passage of the GEOB in the 9<sup>th</sup> Assembly was negated by the male-dominated National Assembly. To begin with, the findings are quite revealing as they shed fresh insight on Nigeria's patriarchy and political culture (Diamond, 1993). It also highlights the implications for framing policy responses to the problem of under-representation of women in government. Specifically, the opposition to the Bill centred on the following themes: (i) the constitutionality of the Bill; (ii) granting some advantages to women over men conflict with extant laws; (iii) conflict with customs, tradition and religion; and (iv) inadequate consultations with the legislators.

### **The constitutionality of the bill**

Arising from the subthemes: (i) the subsisting Supreme Court judgement debars legislation on issues already addressed by the Constitution, (ii) the supremacy of the Constitution; and (iii) the provision of Section 42 of the Constitution, it is safe to infer that the legislators used these reasons as alibi to 'kill the Bill'. Citing the subsisting Supreme Court judgement may not have any material implication on the passage of the GEOB. For all intents and purposes, the provisions of the Bill embody women's bill of

rights documented in the United Nations and Africa Union Charters and Conventions that have been ratified by Nigeria (UN, 1945). Also, the allusion to the supremacy and provisions of Section 12 of the Constitution may pass for fallacy of reification. As pointed out by Pogoso (2012), opponents of gender-related legislation in Nigeria fall victim to the fallacy of reification by treating gender roles as unchangeable. They argue that preserving traditional gender norms is essential for societal stability, wrongly equating them with immutable laws of nature. This fallacy ignores the need for progress and perpetuates discrimination against women, hindering their empowerment and equal rights. Thus, the findings have far-reaching implications when it comes to the amount of advocacy, coalition-building, stakeholder engagement, etc. required to persuade the male-dominated legislators who control access to the political sphere. For instance, Legislator 12's argument which says, "It starts and ends here, not any other person outside" indicate the magnitude of the groundswell of support required to get the buy-in of the legislators. To corroborate this, Legislator 12's assertion that "any nebulous attempt by anyone of us who is sponsoring a Bill to say that he/she is not going to consult with members is going on slippery ground". Thus, peering through these sentiments underscores the imperative of devising pragmatic strategies to securing the buy-ins of the male-dominated parliament. Perhaps, and deservedly so, the most compelling relevance of these findings points to where we may find the answers to the problem of under-representation of women in government. Consequently, Dercon's (2022) conceptualisation of "elite bargain" offers policy alternatives to be explored. Dercon (2022) argues that the answer to move the needle regarding paving access to political decision-making bodies lies in 'development bargain', whereby a country's elites - including powerful influential legislators, shift from protecting their own positions to gambling on a development-based future. Yet, how these political elites see the future and the requisite trade-off in the development bargain matrix remains to be explored.

### **Inadequate consultations with the legislators and granting advantages to women over men conflict with extant laws**

Another finding that stands out from the results is that whilst some legislators denied not to have been consulted nor seen copies of the Bill, evidence suggests otherwise. Evidence revealed that copies of the Bill were not only circulated but also, nearly 57% of the 109-member senate had expressed willingness to co-sponsor the Bill. Thus, the clamour for continuous consultation indicates underhand tactics to frustrate the passage of the Bill. This shows why the push for the passage of gender-related Bills suffers setbacks in legislature. The male-dominated legislature is committed

to preserve the patriarchal hegemony leaving women in the periphery of political arena.

The results reflect those of Messerschmidt (2019) and Acosta et al. (2020), who found the same pattern of practices that perpetuate the dominance of men in society. These findings are consistent with Ette and Akpan-Obong (2022), who stress women's arduous path to the political arena. It also aligns with the findings of Michealson (2013), which highlights men's resistance to women's empowerment, and dovetails with the recommendations of MacPherson et al. (2015), which stresses various approaches to women's empowerment. Regarding the insufficient consultations with the legislators, it may be inferred that the male-dominated legislature is committed to preserve the patriarchal hegemony irrespective of the assurances to support the Bill during consultations. As mentioned in the literature review, the vociferous common cause to 'kill the Bill' points to the patriarchal and sociocultural structures in Nigeria (Omotola, 2007; Jega, 2001) and the institutions that support it. For instance, the recognition of the common, sharia and customary laws by the Constitution to suit the religious and cultural peculiarity of different parts of the country is a major setback to crystallise the passage of the GEOB. This implies that the legislators tend to justify their opposition to the Bill based on its infringement on existing laws. **Again**, the clamour for continuous consultation signposts underhand tactics to frustrate the passage of the Bill. This inference dovetails with Connell's (1987) Hegemonic Masculinity Theory, which provides some explanation as to why women are under-represented in government in Nigeria.

### **Conflict with customs, tradition and religion**

Some of the issues emerging from this finding relate specifically to the notion that women's access to the decision-making arena threatens traditional and religious belief. These results reflect those of Arowolo and Aluko (2010) and Okoosi-Simbine (2012), who also found that socio-economic and cultural norms are major factors responsible for women's under-representation in government in Nigeria. This result is consistent with Hughes and Paxton's (2018) views and provides some explanation as to why women are left on the periphery of the political space. The findings raise intriguing questions regarding the nature and extent of the gender norms in relation to women's access to the political sphere and their empowerment. For instance, the sentiments expressed by Legislator 8 suggest that the empowerment of women is a frontal attack on religion, traditions and customs. Most striking was the fears that the empowerment of women will embolden women to challenge men's authority, and ultimately reduce men to 'Mijin Hajiyah'. As he put it "This will give rise to a situation wherein our Northerner language

that said, *Mijin Hajiya*; you will become *Mijin Hajiya* at the end of the day, where your woman can move around, and interact any how under your watch". To clarify terms, *Mijin Hajiya* is a Hausa language that connotes a weak man. These fears are consistent with the findings by Boyd (2013) and Wyrod (2008), where attempts to reconfigure gender power relations were considered excessive and were resisted. The implication of these findings points to the need to deepen advocacy that allays these fears and connotations. In other words, the advocacy that focuses on the empowerment of women as economic agents contributing to national development and not as objects to be subjugated should be deepened. Despite the appeal of the adopted theoretical framework - Connell's Hegemonic Masculinity Theory, our findings show that the male dominance in governance in Nigeria is a product of the underlying four themes. In essence, it is safe to infer that religion, culture, male-dominated state institutions such as the supreme court, legislature (caused by poor education of women), and so on, have constructed patriarchal society. This implies that women's political-oriented legislations hold promise to deconstruct patriarchy in Nigeria. For instance, Rwanda surmounts the problem of male dominance in government on the wings of the political actors' commitment to promoting gender equality and with the accompanying gender responsive legislation. This argument aligns with the view of Zaborszky (2017), who shed light on how Rwanda overcame male dominance of the political arena, pointing out that the domestication of women's political rights in the Rwandan Constitution, 2003, guaranteed gender-responsive legislation, thus putting women's political empowerment at the forefront of the government agenda.

## Conclusion

The study has critically examined why women are under-represented in government in Nigeria, and the strengths of the study included the in-depth analysis of the problem. The results presented fresh insights signifying that the male-dominated National Assembly spared no effort to defend and preserve the patriarchal hegemony. However, these findings cannot be extrapolated to suggest that all men in the male-dominated National Assembly 'killed the Bill'. The evidence of the genuine support of the Bill by a few men - considered outliers, signposts a promising future support for the Bill and ultimately increase women's representation in government in Nigeria. This implies that advocacy groups may leverage the support of these outlier groups of men to deepen the conversation about the merits of the Bill. Further studies which take these variables into account, may need to be undertaken. In addition, the findings suggest that the allusion to inadequate consultation with the legislators indicates underhand tactics

to frustrate the passage of the Bill. Notably, the study shows that Dercon's (2022) conceptualisation of 'elite bargain' offers policy alternatives to be explored. Overall, the findings of the study add to the literature, presenting a broadened understanding of women's under-representation in government and underscoring the requisite framing of policies and approaches to addressing it.

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